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Date of Deposit: May 12, 2004

Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener, et al.
Serial No.: 09/731,255
Filed: December 6, 2000
Entitled: Method of Transplanting in a Mammal
and Treating Diabetes Mellitus by
Administering a Pseudo-Islet Like
Aggregate Differentiated from a
Nestin-Positive Pancreatic Stem Cell

Examiner: Bunner, B.E.

Group Art Unit: 1647

Conf. No.: 9070

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL PURSUANT TO 37 CFR § 1.191(a)

Sir:

Applicant hereby appeals to the Board of Appeals and Patent Interferences from the decision of the Primary Examiner dated November 17, 2003, in which the rejection of Claims 25-35 and 67-79 were made final.

[X] The Commissioner is hereby authorized and instructed to charge the fee of \$165.00 for filing this Notice of Appeal under 37 C.F.R. § 1.17(b) and the fee for the Petition of Three Months Extension of Time in the amount of \$420.00 (Fee for Three Month's Extension of Time \$475.00 minus \$55.00 Paid with the Response to Final Office Action filed on March 16, 2004 equals \$420.00) to Deposit Account No. 16-0085, reference No. 3284/1220.

The following checked items are appropriate:

[X] A response to the final rejection:

[X] was filed previously on March 16, 2004, Copy Enclosed.

[] accompanies this paper.

05/14/2004 SSITHIB1 00000048 160085 09731255

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